

STATE OF ARKANSAS
BOARD OF APPORTIONMENT
PUBLIC HEARING

TUESDAY, NOVEMBER 21, 2000

BATESVILLE, ARKANSAS

APPEARANCES:

On Behalf of the State Of Arkansas:

Olan W. Reeves, Office of the Governor

Tim Humphries, Office of the Secretary of State

Larry Crane, Assistant Attorney General

Beth Ann Rankin, Office of the Governor

Christy Rogers, Office of the Governor

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1 TUESDAY, NOVEMBER 21, 2000, UNIVERSITY OF ARKANSAS COMMUNITY
2 COLLEGE, ROOM 301, ARTS AND SCIENCES BUILDING, BATESVILLE,
3 ARKANSAS, 2:30 p.m.

4 BY MR. REEVES:

5 I'd like to thank everybody for being here today. If you
6 haven't signed the sign-in sheet, please do so. We need to
7 keep a record of everyone that was here so the board will know
8 who all came. We all have a court reporter who will be taking
9 everything down, the comments that are said down, so if you
10 have a question from the audience, please state your name so
11 she can record that for us, otherwise it'll say unidentified
12 male said something. The board would like to know who you are
13 and what you have to say.

14 I'm Butch Reeves from Governor Huckabee's office. I'm the
15 chief legal counsel there. This right here is Tim Humphries;
16 he works in Sharon Priest's office, he's her general counsel.
17 This is Assistant Attorney General Larry Crane from Mark
18 Pryor's office. From the governor's office we also have Beth
19 Ann Rankin and Christy Rogers. So we do appreciate you being
20 here.

21 They've been in Jonesboro this morning at a meeting
22 similar to this, and so here we are this afternoon.

23 The point of this is for you to tell us what you want and
24 don't want in re-drawing the House and Senate districts in your
25 area. Of course, if you've experienced growth, your district

1 probably will change some. If they've decreased, you've
2 decreased in population, your districts will have to get
3 larger. The sheet that has all the numbers on it, those are
4 the 1999 estimated numbers from the Census Bureau for all the
5 counties in Arkansas. They're not necessarily based on the
6 census that was done in 2000; those are estimates. And so we
7 anticipate growth in the -- well, we know there will be growth
8 because we have increased population. The question will be
9 what happens to the districts in your area, both Senate and
10 House.

11 That's really what the Board of Apportionment will be
12 doing. Looking at the numbers, fitting them into the computer,
13 and drawing the lines.

14 We have a web page that allows you to access. This is our
15 website. It has all the board members, their phone numbers and
16 address, plus all of our names and addresses, if you want to
17 Email us or call us or ask a question. It also has our
18 calendar of events, the places we're going around the state,
19 the times for the meetings in the different areas. It has case
20 law, the current US Supreme Court case law in cases that affect
21 Arkansas, as far as redistricting. It has lots of other things
22 on there too. But this is our website.

23 You can sign-on, put comments on there, and we will
24 forward those to the board. If you want to make sure you had a
25 record of something you said, it's like Email, but you just

1 sign-on and post a comment and then it will be forwarded to the
2 particular board members.

3 We've had quite a few comments. Most of them have been
4 from eastern Arkansas for some reason, got revved up over
5 there, with a bunch of comments.

6 But we'd appreciate to have your comments as well. And I
7 think you can log-on and access the comments that are already
8 on there from other people, you can read everybody else's
9 comments as well, besides just putting your own on there.

10 We will from time-to-time update the web page. We
11 anticipate, we've been told by the Census Bureau that the
12 numbers will be here before March 31st of next year. Once that
13 happens, the numbers will be loaded into the computer and Tim's
14 going to talk a little bit more about that, but the time frames
15 are right there. There we go. March 1st. We don't think
16 they're going to come that day, but we've been told by April
17 1st they will be there, they will be loaded in the computer,
18 takes a couple of days, probably take maybe three, four weeks
19 to sit down with the computer and actually draw the plan
20 statewide for House and Senate.

21 Then we will come back out with a plan. It will be on our
22 web page; you could access it and see what your district is
23 proposed to look like. It's just a proposed plan. So that
24 when we get here if you want to jump on us as soon as we get in
25 the door or happy with what you see, which is what we hope, it

1 will be available before we get here. I know that 10 years
2 ago they had to lug the big maps around and you didn't get to
3 see it until we walked in the door. You'll be able to access
4 it this time before we ever get here. We'll have these kind of
5 meetings all around the state again, probably be June, July,
6 sometime like that. Then your comments will be taken back to
7 the board and sometime before October 1st the board will vote
8 on which plan they're going to endorse. And that will become
9 the plan.

10 We want to do it by this date because in order to run in
11 the House or Senate district you need to know before, a year
12 before the election in 2002 if you need to move. That's the
13 main reason, so we're hoping. That's our target date. That's
14 not set in law, that's not set in the Constitution; that's just
15 our best hope that we can do it. We think with the computers
16 we can probably do that.

17 And, then, of course, it would be, you know, set. Once
18 the board votes on it and the filing dates in 2002, people can
19 decide which district they're going to run for.

20 As far as the parameters, the guidelines we're going to
21 look at, that's really not been decided. The board has to
22 decide that and they haven't met. They only met once to
23 endorse these meetings. They haven't met to do that; they will
24 probably do that sometime in February or March of next year.
25 So that's why your comments are very important.

1 For instance, what kind of boundaries are we going to look
2 at? What kind of lines are we going to use? Where are we
3 going to start? It makes a big difference where we start.

4 In 1990, we had to start, they had to start in eastern
5 Arkansas because of a court order. We may not have to start
6 there this time. We may start Texarkana, Lake Village, you
7 know, Belle Vista, or Jonesboro, who knows. So the board
8 hasn't decided that and exactly how they're going to work on
9 the redrawing, they haven't decided that either. That's why we
10 want your comments as to what you like or don't like.

11 I'll let Tim go ahead and kind of tell you about the
12 computer program and how it's going to work and then we'll open
13 it up for comments.

14 MR. HUMPHRIES: This, by the way, is the comment
15 page that Butch mentioned earlier. And I'd like for
16 you to feel free to use that and, like it says, you
17 can read comments by others that have already posted
18 their comments as you're going through it.

19 The computer software that we're going to be
20 using is Autobound Redistricting software. If
21 there's any GIS people in here, they'll know what I
22 mean when I say that Autobound runs on art and view
23 platform. Now, I suspect that hardly anybody
24 understood that. I didn't understand it when I said
25 it.

1 Art view is a GIS, geographic information system
2 type of software, and Autobound is an extension of
3 art and view. It allows you to do the tasks that we
4 do. It simplifies the task of drawing the districts.

5 What I've got up here is what we're showing is a
6 map of this general area that we're in. I've kind of
7 centered it on District 79 there. And that shows
8 these districts. The smaller areas you see there are
9 precincts. That's the precinct level.

10 In '91 the Board of Apportionment drew its plan
11 based on townships. Township was the basic building
12 block of the districting scheme back in '91. This
13 time it's going to be precincts. And I think, you
14 know, for the most part rural townships and precinct
15 lines coincide, they're the same. But sometimes
16 they're not, and I think by using precincts instead
17 of the townships we're going to save some counties
18 quite a few headaches. I don't know that y'all had
19 that kind of thing here.

20 I'll just give you a brief idea of how this
21 works. Let's say that, I don't know what the
22 geography is up here, but let's say that District 42
23 has decreased in population and District 79 has
24 increased in population, so we'll have to find a
25 township -- I mean, a precinct out of District 79 to

1 put into 42. It's just a simple matter of clicking
2 the button. And you didn't see it, but that precinct
3 went out of 42 into 79. Let me do another one. I'm
4 sorry, out of 79 into 42. And there it went. That
5 precinct is now in 42, so with just a click of the
6 button, we can move these around.

7 I'll have all my numbers. That's what this is.
8 This shows the total population of the district after
9 I got through moving that precinct out and it's got
10 all the racial breakdowns and so on and so forth.

11 I can also ask the computer with regard to that
12 particular precinct or any particular precinct, I can
13 ask what that precinct is and it tell me that is Hill
14 precinct and it gives me the total population
15 breakdown in it, population by race and voting age,
16 those sort of things.

17 Pretty sophisticated piece of equipment. We're
18 going to have, we've got several sophisticated loaded
19 with this Autobound software in our central office in
20 Little Rock, just across the street from the capitol
21 in the Aegon Building. And for you members of boards
22 of election commissioners that are here, I know we
23 have one, at least, we're going to hopefully be able
24 to use this equipment to provide some assistance to
25 the folks at the local levels to draw JP districts,

1 and we think that might help us coordinate precinct
2 lines so that you don't have to have so many split
3 boxes.

4 I don't know that that's a problem here, but in
5 some parts of the state we have considerable problems
6 with that. So we're going to hopefully be able to
7 provide those using technical assistance in that
8 regard. Like I say, we'll be through, I think, with
9 the bulk of our work in the late summer, JP districts
10 are due in January of 2002, so I think by the time we
11 finish with the bulk of our work I think we'll be
12 able to help, at least, some of the local counties.
13 If you decide to take advantage of it, hope you'll
14 use it.

15 That's all I have.

16 MR. REEVES: Tim, how many people were in a
17 House district in '91?

18 MR. HUMPHRIES: About 23,500 in House districts
19 in '91. About 67,000 and change in the Senate
20 districts in '91. This time it's going to be about
21 25,000 plus, twenty thousand five, something like
22 that, and in the House about 72,000 and change in the
23 Senate. So the Senate district size is going to
24 increase by 5,000. The House district size. There's
25 a hundred House districts and 35 Senate districts.

1 The Senate district size will increase by about
2 5,000. The House district size will increase by
3 about 2,000. So I don't know what y'all have done
4 population-wise here, but even if you held your own,
5 the geographic size of your district's probably going
6 to have to get bigger because we're going to have to
7 find 2,000 more people there in '79 to put into it.

8 So I think the population of the state according
9 to those estimates has grown something in the
10 neighborhood of 8 percent so you can kind of consider
11 what happens in your area against the rest of the
12 state to give you an idea of, you know, about how
13 much bigger your local districts are going to have to
14 be or perhaps smaller.

15 MR. REEVES: Anybody have a question? Something
16 they want to say? Any comments about a particular
17 district? You want something done; you want
18 something not done. Could you state your name,
19 please.

20 MR. SHIRRELL: My name is Jim Shirrell; I'm with
21 Independence County Economic Development Foundation.
22 And basically we appreciate you being here and
23 holding the hearing today. We understand that maybe
24 in some parts of the state you've already been
25 threatened with lawsuits. We would not certainly

1 help to do that. We're not in the lawsuit business,
2 but we are concerned. In the last division
3 Independence County, which is an economic engine for
4 a whole lot of north-central Arkansas is pretty well
5 fragmented. And, in fact, the City of Batesville is
6 fragmented. And as you consider what you're going to
7 do, we'd like to ask that you look at both
8 centralization, particularly District 41. It
9 stretches all the way across over to Clinton.

10 MR. REEVES: Van Buren County.

11 MR. SHIRRELL: And up until two years ago,
12 Independence County did not have a representative, as
13 such. It creates some problems often times when we
14 are perhaps in competition for some form of economic
15 development project with another city the size of
16 Clinton, or for highway dollars, Highway 65 versus
17 Highway 67. Because we do feel that we are certainly
18 important economically to the area; we'd like to have
19 your consideration in bringing this a little bit
20 tighter, putting Batesville together constituting a
21 district, perhaps you can get near to that, if at all
22 possible. I'd point out that we have about, we have
23 16,500 people employed here, town's 10,000, we have a
24 medical center that has 60 doctors on staff, almost
25 unheard of for a town this size. Just to make a

1 point of what our economic impact for this community
2 is. So we would ask your consideration in looking at
3 that. We'd truly appreciate it.

4 MR. HUMPHRIES: Where do you consider your trade
5 area to be?

6 MR. SHIRRELL: Our trade area primarily moves
7 north of us. We don't trade too much farther, you
8 know, in counties south, but then we go to the
9 Missouri line. I'm in the process of trying to plot
10 where our workers come from for various taxes here
11 and I know that we will find them practically to the
12 Missouri line, so north of us is probably where we
13 have more in common north than we do extremely far
14 west.

15 MR. TAYLOR: Let me, if I could, my name is
16 Representative Chaney Taylor; I represent District 41
17 in the House of Representatives, and let me just kind
18 of expand on some of the things that Mr. Shirrell
19 mentioned. I brought a map of my district. And, by
20 the way, let me just recognize Mr. Shirrell; he is a
21 former mayor of Batesville and he was working at the
22 Department of Development and Employment and we're
23 glad to have him back in Batesville. He is the one
24 that provided me with this map, as a matter of fact.
25 But you can kind of see, and I want to touch on some

1 of the problems we were talking about, about drawing
2 the districts based on townships and precincts. I
3 can tell you that in 1996, I know we've got an
4 election commissioner here, there were some problems
5 with ballots over in my district on the west side.
6 What happened was you see on this map here, I think
7 you had it blown up there a little bit, on the west
8 side, which is Ward 3 in Batesville, I take in just a
9 very small portion of that, not all of it, but I take
10 in Wards 1, 2, and 4 in Batesville. And to give you
11 an example of what he's talking about with some of
12 the voting problems, that means that they had to
13 print two ballots for Ward 3, one with my race on it
14 and one without. There were some people who didn't
15 vote. Charlie, I know you're on the election
16 commission, too; y'all had some problems over there
17 in '96. I think they got most of them worked out in
18 '98 when I ran a second time, but that's an example
19 of how that can create some problems where you divide
20 up a town like that.

21 Now, you also mentioned, and my district
22 stretches all the way from Batesville to Clinton.
23 You cannot drive from Batesville to Clinton on a
24 paved road and stay in my district; it's impossible.
25 I've tried it. It cannot be done. Believe me, I've

1 been on every road throughout my district and it
2 cannot be done.

3 What that amounts to is kind of what Jim talked
4 about a little bit. There's things that happen in
5 Clinton and there's things that happen in Batesville
6 with regard to economic development issues; it's not
7 fair to people in Clinton when I live in Batesville
8 and I can't be there at their functions or show up
9 for certain events and whatnot, it wouldn't be fair
10 to the people in the Clinton for somebody vice-verse,
11 for somebody at Batesville or somebody in Clinton to
12 represent us in Batesville. I just don't think
13 that's very fair to those folks.

14 I can also tell you that Independence County, as
15 Jim alluded to, is divided up in four different House
16 districts as is Sharp county, which is just to the
17 north of us. And I think we've got at least one
18 person here from Sharp County, we may have some other
19 folks here from Sharp County, but Sharp County is
20 divided up into four different districts as well.

21 And what we would ask, at least as far as I'm
22 concerned, I would ask two things. One is that
23 Batesville be brought back into at least one
24 district, all of it. Second thing is that, Jim
25 touched on this a little bit too, Batesville is the

1 drawing area for about a, what did you say, Jim,
2 100,000 or so a drawing area here.

3 MR. SHIRRELL: That or more.

4 MR. TAYLOR: We've got a major medical center
5 here, as he said, 60 doctors on staff; we've got the
6 great community college here where we're meeting
7 today and so forth, and it just doesn't seem fair for
8 us to be carved up like that.

9 Second thing is, as I mentioned, is to see
10 Independence County brought more into a mutual kind
11 of district.

12 What I would ask personally is that we see some
13 boundaries drawn more along natural lines, maybe
14 rivers, county lines, that sort of thing, because it
15 does create some voting problems. I think everybody
16 in the last couple of weeks has got an understanding
17 of voting problems.

18 MR. REEVES: One thing this computer software
19 will do is go down to the names of the streets. And
20 we will get the information from the Census Bureau on
21 blocks. They're called census blocks. How do we get
22 the census blocks?

23 MR. HUMPHRIES: Well, there's one. I mean, if
24 you live on Maple Street at the corner of Maple and
25 Gwen and all the people in that block bounded by

1 Maple, Gwen, and Highland, and what is that, Twelfth
2 Street? Nineteenth Street.

3 MR. REEVES: Or county road. We can actually
4 get. Which we couldn't, they couldn't do in '91.
5 Just couldn't do that.

6 MR. HUMPHRIES: That block has -- no, that block
7 has seven people, with racial and age breakdowns, all
8 over 18.

9 MR. REEVES: I noted Independence County is
10 split several different ways in Batesville. Anybody
11 else.

12 MR. HUNT: I'm Russ Hunt from Searcy. If this
13 is just an estimate, how do you know? How did you
14 come up with figures for the estimate?

15 MR. HUMPHRIES: Well, the Census Bureau. I'm
16 not exactly sure what they used to arrive at that,
17 although I think the explanation for it is on their
18 website, which can be accessed through our website.

19 MR. HUNT: That's where these figures came from?

20 MR. HUMPHRIES: Yes, those came from the Census
21 Bureau.

22 MR. REEVES: Tim just printed that directly from
23 them. That's just their guess.

24 MR. HUMPHRIES: There is a methodology that's
25 thoroughly explained on their website, but I couldn't

1 recite to you what it is. And don't put a great deal
2 of stock in those numbers. When the actual numbers
3 come out in 2001, that's not going to be the
4 population of any of these counties or the whole
5 state. That's just the Census Bureau's best guess
6 about what the population was on July 1, 1999 and
7 they compared it to the actual Census in 1990.

8 MR. REEVES: There's lot of other information on
9 the website, which is linked to ours. Larger
10 metropolitan area, they're going to have a lot more
11 information on them than they had had in the past.
12 We've seen the one they were going to do for like
13 Jefferson County for Pine Bluff. It has a whole lot
14 of stuff. I mean, it even had voting age population
15 estimates, it has a whole bunch of stuff. So if
16 you're really interested in that, it could show you
17 your town, your community.

18 MR. HUMPHRIES: Jefferson County was a test
19 county and so they did an actual census. I think
20 it's the actual numbers as of April 1, 2000. They've
21 got that for Jefferson County on there now. It's
22 sort of a test county to show what they can do. But
23 that's the only place where you have those numbers.

24 MR. REEVES: Yes, sir.

25 MR. BENNETT: My name is John Bennett; I'm a

1 realtor here in Batesville and I want to thank Dr.
2 Lassiter and the school for providing the facilities
3 today and thank each of you from your respective
4 offices for being here. I guess I think this is the
5 essence of government when people get a chance to
6 come and meet with people like you and state their
7 issues and concerns and not just complain all the
8 time. I appreciate that atmosphere.

9 A lot of what I had to say has already been
10 said, but I just want to state it maybe in a little
11 bit of a different way. I firmly believe that
12 citizens should take place and take part in their
13 government. You don't have to be an elected
14 official. I serve as chairman of the Arkansas Real
15 Estate Committee. I served on Governor Huckabee's
16 transition committee. My wife served as vice
17 chairman of the Arkansas State Library Board. I just
18 firmly believe that citizens have a responsibility to
19 do that.

20 But back to the point that we're at here today.
21 You heard Chaney Taylor state his case there and he
22 asked you about that. I guess I'm going to be a
23 little bit more direct and to the point. Do you not
24 think it's a little bit ridiculous that the City of
25 Batesville has four different representatives

1 covering portions of it? I really firmly think, you
2 know, that that needs to be addressed. Mr. Shirrell
3 mentioned a number of things about Batesville, but
4 basically Batesville is the heart of Independence
5 County and this area. It's the medical center for
6 the area. It's the employment center for the area.
7 It's the education center of this area, with Lyon
8 College and the University of Arkansas Community
9 College at Batesville. It's the shopping center for
10 the area. As Mr. Taylor said, at one time, we had a
11 representative over at Clinton representing us, but
12 it just seems to me like it's so plain and I'm
13 tickled to death when we looked at the computer
14 earlier I was going to ask a question about when we
15 looked at the districts if you could also see the
16 city down there and stuff like that, and obviously we
17 do.

18 Now, Batesville is a town of about 10,000 with
19 four different representatives in town. I just -- I
20 guess another question I would ask. Do you know of
21 any other incident where a town this small would have
22 four different representatives?

23 MR. HUMPHRIES: Helena comes close.

24 MR. REEVES: We've already been there and heard
25 from them.

1 MR. BENNETT: I just firmly believe that, you
2 know, you should look at that. I'm not saying that
3 it has to be done and I'm not really complaining. I
4 just think it's a pretty glaring thing that needs to
5 be done.

6 I want to especially appreciate or recognize Mr.
7 Crane here today. He serves as the hearing officer
8 for the real estate commission, so we get to get
9 together once a month.

10 MR. CRANE: Thank you.

11 MR. REEVES: Anybody else? Yes, sir.

12 MR. MORRIS: I'm Charlie Morris. I'm the
13 election coordinator for Independence County and I
14 just want to kind of reiterate what Chaney and Mr.
15 Shirrell were talking about just from an election
16 standpoint. That this year we were pretty lucky, we
17 didn't have any extensive races to deal with, but in
18 1998 we had 28 different ballots in this county, not
19 all of it was due to state representatives, but still
20 it was partial. And when you're dealing, those that
21 have dealt in the election process know there's a lot
22 of factors involved. There's the workers that we
23 have and the confusion that we have at polling
24 places, and anything that we can do to simplify that
25 process it'll help us not have situations like we're

1 seeing, you know, in some other areas of our country
2 right now.

3 But, just from that standpoint, you know, it
4 would really help if we can, you know, look at our
5 district and our counties and try to make that
6 process easier for people to make an important
7 decision. I agree. Like John says, you know, it is
8 kind of ridiculous, especially like District 41, to
9 be spread out the way it is. I mean, I know how that
10 came about, but.

11 I think we need to get back to some more
12 reasonable reasons of why we do things like that.
13 And to go on and say Batesville is the, you know,
14 it's the heart of, not only as the county goes, but a
15 lot of our, you know, the counties around us.

16 I hope y'all will take that, take all this
17 information and make wise decisions with what to do.

18 MS. ALLEN: I'm Debbie Allen, Director of the
19 Batesville area Chamber of Commerce. And I too
20 concur with the comments about us being a trade area.
21 It is true there's well over 100,000 people now that
22 we consider in the trade area. But I have a question
23 about the art view here. Is population the main
24 factor? And it will always.

25 MR. REEVES: That's what we will get from the

1 Census Bureau is population.

2 MS. ALLEN: And you'll base the majority of the
3 decisions on?

4 MR. REEVES: Right.

5 MR. HUMPHRIES: The districts have to be within
6 10 percent of each other in size. So what we shot
7 for in '91 was to get the biggest ones to be less
8 than 5 percent of the average district size and the
9 smallest ones to be minus 5 percent or less. And as
10 it turned out, you know, and what you do is you add
11 those two percentages up and that's your variance, so
12 the biggest one was like 4.75 percent above the
13 average district size. The smallest one was 4.7
14 percent below that.

15 MR. REEVES: We have to strive for that. If a
16 court challenge comes that's the first question
17 they'll ask is what's your variance, and so. That
18 variance goes statewide. So if you make a change up
19 here in District 9 or 8 or 24, it does somewhat have
20 a ripple effect all the way down here to Chicot
21 County. So, you know, it's not like you can lop off
22 something and say, well, they don't care about it
23 because it does matter. It matters all the way down.
24 And the computer will tell us all that instantly when
25 we do something like that.

1 MR. HUNT: Gentlemen, again, I'm Russ Hunt from
2 Searcy. I just want to express my opinion. Searcy
3 doesn't want to end up like Batesville. White County
4 has an estimated 65,000 people with five
5 representatives in a county and right now my district
6 includes the City of Searcy and a little beyond that.
7 What I hear from people is they would hate to see
8 Searcy split in any way and it would make it
9 obviously more difficult, as Representative Taylor
10 can tell you, to get things done for your
11 constituents when you have to ask them what street do
12 they live on and go see so-and-so first.

13 MR. REEVES: Right.

14 MR. HUNT: But that would be the one concern I
15 would have is to keep Searcy at least one district
16 and it may very well end up being twenty-three,
17 24,000 people.

18 MR. REEVES: Okay. Anybody else? Yes, ma'am.

19 MS. BENNETT: In doing this appropriation of
20 population, do you consider the county seat as part
21 of the appropriation of the general area? Does that
22 have any variance with it at all?

23 MR. REEVES: I've not done this before, so I'll
24 let Tim answer that.

25 MR. HUMPHRIES: You have the whole county comes

1 into play, the population of the whole county.

2 MS. BENNETT: But, I'm wondering, you know, do
3 you try to have a county seat in each one of the
4 districts or whatever or do you just, for instance,
5 maybe you could have two county seats in one district
6 or maybe even three or four, you know.

7 MR. HUMPHRIES: You can't have a county seat in
8 each district because there are 100 precincts or
9 House seats and Pulaski County takes up a bunch of
10 those, but you can't have a county seat for each
11 district, though. I think the county seat does come
12 into play somewhat, you know, for the most part where
13 cities are small enough to be included with a
14 district then they are. For the most part.

15 MR. REEVES: If you want to, you could look at
16 our website. The Supreme Court and the other federal
17 cases that are cited there kind of give you a good
18 idea of the parameters and the things we have to take
19 into consideration, I mean, the board will have to
20 look at those things in deciding how to draw the
21 line, how to move the line, how to set up the
22 district. Incumbency is one of those, but with term
23 limits I think that will relieve some of the pressure
24 this time, at least we hope so, in trying to get
25 squarer districts as much as we can; we can't promise

1 that, but we'll do the best we can in looking at all
2 of that.

3 Anybody else have a comment or a question? If
4 you think of one after we've left, if you'll just
5 Email us, go on the website, post a comment. Our
6 individual Email addresses are on there too, so if
7 you wanted to Email Tim something or Larry something
8 or me something, feel free to do so. Whatever we get
9 mail-wise or letter-wise, we're going to share with
10 the rest of the staff so the whole board knows what
11 everybody's thinking so when they meet they can
12 decide the variances and where we're going to start
13 and that kind of thing.

14 MR. TAYLOR: Butch, let me ask a follow-up
15 question. Again, my name is Chaney Taylor and I
16 represent District 41. Now, let me make sure I'm
17 clear, Butch, that population is not the only factor
18 that you're going to look at when drawing these.
19 What are some of the other things that you're looking
20 at?

21 MR. REEVES: Well, the Supreme Court has said
22 you look at communities of interest, you look at
23 compactness, you look at contiguity, that means do
24 they touch. You can't have a district that's part
25 over here and part over here with something in the

1 middle. You can look at incumbency. There's several
2 other things you can look at and those tables tell
3 you what they are. It's more of a problem in
4 congressional, which is what the House and Senate
5 will have to do, but those are the same
6 considerations we have to look at, the Supreme Court
7 has said we have to. Population is what starts the
8 driver of this thing, but those other things come
9 into play. Which population goes into this district?
10 The population from this county, this town. The
11 numbers of people is the variance that we're talking
12 about, but how we put those together is what you're
13 talking about. The core groups of interest, the
14 communities of interest, what they have in common,
15 what they don't have in common, and those kind of
16 things.

17 MR. TAYLOR: And, Butch, kind of clarify how
18 minority populations come into play.

19 MR. REEVES: Well, you have to take that in
20 consideration because of the Voting Rights Act. The
21 Supreme Court has said as a result of lots of voting
22 right cases that you can't put all the minority
23 population into a few districts and make them 100
24 percent minority; you can't do that. You can't also
25 dilute them so that they're less than, you know, 20

1 percent or 30 percent, which means they could
2 probably never elect a candidate. That's what makes
3 it tough in certain parts of the state. And when it
4 makes it tough in certain parts of the state, it
5 affects Independence County too. It affects
6 northwest Arkansas too. So those are not things that
7 are just designed to the Delta or south Arkansas or
8 Little Rock, they affect you, your district as well,
9 because when we have to draw a district to get
10 minority population, which has been a minority
11 population, majority/minority, we kind of have to
12 keep that in mind under the Voting Rights Act, and
13 the 14th Amendment as well, which makes it much more
14 difficult than it looks.

15 But the computer will really help us because it
16 instantly tells us the racial breakdown. The big
17 question in my mind, I think, is going to be how much
18 the Hispanic population has grown in western
19 Arkansas. If it's grown to a certain extent, there
20 may have to be considerations made for Hispanic
21 majority/minority districts over there or a part of
22 the district somehow. And we don't know that answer
23 yet until the census numbers come back.

24 MR. HUMPHRIES: There's some more discussion of
25 that on the website. A fair amount of detail on the

1 website. Website also has a link to the National
2 Council of State Legislators website, which has some
3 excellent papers about that issue which you're
4 talking about.

5 MR. REEVES: In fact, that's the best one, NTSL,
6 they're the best I've read. Synopsis of cases and
7 what the Supreme Court will look at and what other
8 states are looking at, other court cases. We don't
9 think there are any court cases pending right now
10 that would have a major impact on what we're doing,
11 but, you know, that doesn't mean that we ignore those
12 because we're bound by those, so we will look at
13 those.

14 And when we do this and we draw these lines, it
15 will instantly tell us what racial makeups and
16 population makeup we've done, what we've done in a
17 district. It tells us immediately. I mean, like Tim
18 showed you, it even does the precincts for you. When
19 you move a precinct, it tells you immediately what
20 the racial makeup of what you've done, what effect it
21 has had, which will really drive a lot of what we're
22 doing.

23 We'll post stuff from time-to-time. Like I
24 said, we'll post the proposed plan on there. When
25 you pull it down and you set your hair on fire, we

1 want to know that. You can immediately Email us and
2 let us know: I'm not happy with 79 or 41. I mean,
3 that's what this is for, that's what this process is.
4 We can't do anything about it if you don't tell us.
5 We may not can do anything about it even if you tell
6 us, but at least we'll make the board aware of it and
7 let them decide because this is up to the board; it's
8 not up to us. We have no vote. The board, the three
9 board members have the vote to decide how to do this.
10 We're one of the few states that does it this way.
11 Most states the House and Senate draw their own
12 districts. So we don't. Yes, sir.

13 MR. LASSITER: I'm Jack Lassiter, the chancellor
14 here at the college and we're glad to have you on our
15 campus today. I guess it's more of a question or
16 maybe a statement being new to this area. The
17 community has been very kind to me. I met today with
18 the Economic Development Foundation board, met with
19 the chamber board; I get to serve on a lot of boards,
20 but my question or point to you is: The number today
21 is not representative of the feeling in this
22 community what we decided and have said. Ms. Allen
23 represents the chamber but Cheryl represent economic
24 development, various others represent larger groups.
25 But should we be more concerned about quantity of

1 responses to you or quality?

2 MR. HUMPHRIES: Quality.

3 MR. LASSITER: You have quality today.

4 MR. HUMPHRIES: By the same token, we welcome
5 and hope that anybody who wants to comment on this
6 process has an opportunity to do so on the web or by
7 mail or by telephone or whatever way you want to do
8 it, so it's not going to bother us if you deluge us
9 with mail. I mean, that's fine too. But we're
10 looking to see, you know, kind of get a common thread
11 and we're looking to the leadership for that.

12 MR. REEVES: And there is a staffer who staffs
13 the reapportionment office in the Aegon Building. He
14 has an assistant as well, Ron Sheffield is his name.
15 So if you really want to get a hold of a person who
16 will be not in charge, but the person who will be
17 coordinating all of this for the board, you need to
18 call Ron, he's the guy that we depend on to do all
19 this stuff and set all this stuff and he will keep
20 the official map drawing computers, if you will, down
21 there. Yes, sir.

22 MR. WILSON: My name is Harold Wilson; I'm
23 chairperson of the Independence County Election
24 Commission. You mentioned a word a while ago that got
25 my attention when you said precincts. When this is

1 all said and done and the tally is full, is this
2 going to affect the precincts in each and every
3 county in the state, or is it going to increase or
4 decrease the precincts, or what will happen? Can you
5 tell me that?

6 MR. HUMPHRIES: This process is not going to
7 change the precincts at all. I mean, if y'all need
8 to change them, if you think you need to change them
9 after we're done with this after you're through with
10 JP districting or maybe some city wards or whatever,
11 then it's going to be up to the local election
12 commission to determine whether or not there's a need
13 with the precinct. But this is not really going to
14 affect any precinct. It's not going to change the
15 boundaries or the makeup of any precinct at all, this
16 process will not.

17 MR. WILSON: I just mentioned that and it got my
18 attention.

19 MR. REEVES: You can use the computer software
20 to look at each of your JP districts, each of your
21 precincts, I'm sorry. I keep saying that. To look
22 at your precincts and decide: Do we want to leave
23 them just like they are? Do we want to change them a
24 little bit? This will let you do that. And
25 depending on what we do with this, you may decide to

1 leave them alone or you may decide to increase some
2 or move some lines of your own, but this software
3 will let you do that and instantly see what each
4 precinct has, how many people, where they live, the
5 racial makeup, the whole bit.

6 MR. HUMPHRIES: I think the building block in
7 doing is legislative redistricting is going to be the
8 precincts that the county reported to the Census
9 Bureau last year.

10 MR. REEVES: Right.

11 MR. HUMPHRIES: So that's, you know, whatever
12 was reported by the counties is what the census is
13 going to have as a determined precinct and that's
14 what we're going to use.

15 MR. REEVES: And just be aware that if you
16 change a precinct that we've used to build this one,
17 you're going to mess up the people that you've moved
18 or switched. Okay.

19 MR. MORRIS: How so?

20 MR. REEVES: I mean, you will mess it up because
21 we may have moved them into 79 and they've always
22 been in 41 and now they're in 79 and you moved a line
23 over, they may, you know, you may split a precinct
24 and have the ballot problem that you've got in the
25 different wards now.

1 MR. MORRIS: You may have already answered this,
2 but what's your deadline to get all this?

3 MR. REEVES: We hope to have this done by
4 October 1st. That means have the plans drawn, come
5 back to your area, present the plan, get comments, go
6 back, let the board vote, there'll be a full-blown
7 hearing in Little Rock at some point in September,
8 I'm assuming, the board will vote, and then it will
9 be final. So by October the 1st we hope to have this
10 as official as the board can make it.

11 Please, please, please when we come back, please
12 come tell us your comments. That's crucial. If we
13 don't know your comments and you're mad about some
14 district line, the board can't do anything about it
15 if they don't know it. And Tim tells me in '91 they
16 did make some changes after public comment hearing
17 that summer. They did come back and move a few lines
18 based on the comments they heard from the people, so
19 it is very, very viable that you attend one of these
20 after the plan's finished and proposed. But
21 understand when you see the plan on the website,
22 again, it's not the official plan. It's the proposed
23 plan that we've drawn up based on the Board of
24 Apportionment guidelines they gave to us. That's
25 what you'll be seeing. It's not set in stone. It

1 can be changed and probably will, so.

2 Anybody else? Like I say, if you need to call
3 us or Email, please feel free to do so or if you want
4 to give our number out to somebody that's fine too.
5 Our website; they can call too. We'll be glad to
6 talk to any of you.

7 Thank you. Thank you for coming.

8 (The public hearing concluded at 3:15 p.m.)

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STATE OF ARKANSAS)

) SS

COUNTY OF BAXTER)

I, Darcy Pollack, certified court reporter and notary public within and for the County of Baxter, State of Arkansas, do hereby certify the foregoing is a true and complete transcript, to the best of my ability and understanding, of the State of Arkansas, Board of Apportionment Public Hearing held Tuesday, November 21, 2000, Arts and Science Building Room 301, University of Arkansas Community College, Batesville, Arkansas.

I FURTHER CERTIFY that I am not financially interested in the outcome of this action, a relative, employee, attorney or counsel of any of the parties, nor a relative or employee of such attorney or counsel.

WITNESS MY HAND AND SEAL THIS _____ DAY OF _____, 2000.

MY COMMISSION EXPIRES: _____

CCR # _____

INDEX OF EXHIBITS

Sign-In Sheet November 21, 2000, Batesville, Arkansas, 2 pages

County Population Estimates of July 1, 1999, - 2 pages

1991 Arkansas Senate Districts - map

1991 Arkansas House District - map